

## Message Text

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ORIGIN EA-14

INFO OCT-01 ISO-00 DODE-00 CIAE-00 INR-11 NSAE-00 RSC-01

JUSE-00 L-03 SS-20 NSC-07 PM-07 EB-11 COME-00 /075 R

DRAFTED BY EA/ANP - MR. KNOWLES

APPROVED BY EA - MR. HUMMEL

OSD/ISA - MR. RIDGE (SUBS)

----- 062929

R 01359Z SEP 74

FM SECSTATE WASHDC

TO AMEMBASSY CANBERRA

INFO AMCONSUL PERTH

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E.O. 11652: GDS

TAGS: PFOR, MARR, AS, US

SUBJECT: SUIT AGAINST US BY AUSTRALIAN FIRM

1. AUSTRALIAN AMBASSADOR SHAW, ON INSTRUCTION, PRESENTED  
TO DEPARTMENT (ACTING ASSISTANT SECRETARY HUMMEL) ON  
SPETEMBER 5 AIDE MEMOIRE ENTITLED COURT OF CLAIMS RECOMMEN-  
DATION CONCERNING A CLAIM BY CONCRETE INDUSTRIES (MONIER)  
LIMITED - NORTH WEST CAPE CONSTRUCTION - US CONTRACT N8950.  
TEXT FOLLOWS:

QUOTE: ON 14 APRIL 1970 THE AUSTRALIAN GOVERNMENT EXPRESSED  
TO THE DEPARTMENT OF DEFENSE INTEREST IN THE SATISFACTORY  
OUTCOME OF CERTAIN MATTERS AT ISSUE BETWEEN CONCRETE IN-  
DUSTRIES (MONIER) LIMITED, AN AUSTRALIAN COMPANY, AND THE  
UNITED STATES NAVY. (COPY OF AIDE MEMOIRE ATTACHED).

THE AUSTRALIAN GOVERNMENT UNDERSTANDS THAT A RECOMMENDATION  
HAS BEEN MADE TO THE UNITED STATES CONGRESS BY THE CHIEF  
COMMISSIONER OF THE UNITED STATES COURT OF CLAIMS (CON-  
GRESSIONAL REFERENCE CASE NO. 6-70), INVOLVING THE AWARD  
OF FINANCIAL RELIEF TO THE EXTENT OF \$US 1,022,714 TO THE  
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AUSTRALIAN COMPANY. THE AUSTRALIAN GOVERNMENT FURTHER

UNDERSTANDS -THAT THE FINAL RESOLUTION OF THIS MATTER WILL  
REQUIRE A SPECIAL APPROPRIATION BY ACT OF CONGRESS.

THE AUSTRALIAN GOVERNMENT WISHES TO REITERATE ITS INTEREST

THAT THIS CLAIM SHOULD BE SETTLED SATISFACTORILY AND WOULD  
APPRECIATE IT IF THE DEPARTMENT OF STATE COULD USE ITS GOOD  
OFFICES TO ASSIST FAVOURABLE CONSIDERATION IN THE CONGRESS  
OF THE RECOMMENDATION BY THE CHIEF COMMISSIONER OF THE  
UNITED STATES COURT OF CLAIMS. END QUOTE.

2. AMBASSADOR SHAW REMARKED THAT THIS CLAIM BY AUSTRALIAN  
COMPANY HAD CAUGHT ATTENTION OF GOA CABINET MINISTERS  
INCLUDING DEFENSE MINISTER BARNARD.

3. MR. HUMMEL ASSURED AMBASSADOR THAT WE WOULD LOOK INTO  
MATTER AND GIVE HIM INTERIM REPORT AS SOON AS POSSIBLE AS  
TO WHAT STEPS DEPARTMENT MIGHT BE ABLE TO TAKE.

4. AMBASSADOR SHAW MADE SIMILAR APPROACH TO DOD ON  
SEPTEMBER 6. KISSINGER

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NNN

\*\*\* Current Handling Restrictions \*\*\* n/a

\*\*\* Current Classification \*\*\* LIMITED OFFICIAL USE

## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** APPROPRIATIONS, CENTRAL LEGISLATURE, LITIGATION  
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**Copy:** SINGLE  
**Draft Date:** 13 SEP 1974  
**Decapton Date:** 01 JAN 1960  
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**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** kelleyw0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
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**Document Number:** 1974STATE196814  
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**Drafter:** MR. KNOWLES  
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**Status:** <DBA CORRECTED> srp 971128  
**Subject:** SUIT AGAINST US BY AUSTRALIAN FIRM  
**TAGS:** MARR, PFOR, AS, US  
**To:** CANBERRA INFO PERTH  
**Type:** TE  
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